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author places much emphasis, as perhaps he ought, upon the fact that the ministers were almost unanimous—only one dissenting voice—in recommending that the offender be banished ; but one is forced to ask why the vote of the authorities in giving sentence is not placed in evidence. Now, the vote did not show a large majority in favor of banishment, and the large minority against banishment, in spite of the recommendation of the ministers, is most significant. The omission of this vote, and some other facts, leaves the reader under the impression that Roger Williams had few sympathizers in Massachusetts, and that he alone of all those Puritans longed for liberty. The truth is that he was a bold and outspoken leader of a rising party among the Puritans who were beginning to think and act even in opposition to the authorities, and who represented the progressive spirit of Puritanism. This controversy was only one of a series of events whose true interpretation shows a movement which gave an increasing degree of political, religious, social, and industrial freedom to the people of New England.

Aside from the faults indicated above—mostly faults of omission—the work is a meritorious one and well repays perusal. It has the merit of throwing into the narrative, without breaking its continuity, a large number of pertinent quotations from the writings of the great man whose contribution to religious and political freedom is very satisfactorily traced in the history of the colony founded after the banishment.

W. H. MACE.

Cases on Constitutional Law. By JAMES BRADLEY THAYER, LL. D. Parts III and IV. Pp. 945-2434. Price, \$7.50. Cambridge, Mass. : C. W. Sever, 1894, 1895.

The same general criticism made of the first two parts of this work* is equally applicable to the concluding portions which have now been issued ; or, if anything, the approval then given to Professor Thayer's invaluable collection of cases should be emphasized. In these last two parts the subjects included are Right of Eminent Domain ; Taxation ; Ex Post Facto and Retroactive Laws ; State Laws Impairing the Obligation of Contracts ; Regulation of Commerce ; Money, Weights, and Measures ; War, Insurrection, and Military Law.

It is safe to say that in its final shape of two large volumes of nearly 2500 pages, the teacher and student of American government will find here a collection of cases on constitutional law absolutely indispensable to a fundamental understanding of our institutions. It is fortunate, too, that in many instances dissenting opinions have been

* See ANNALS, vol. V, p. 310 ; September, 1894.

given, along with the decisions of the court, not only to indicate the grounds upon which able jurists were unable to concur in the views of their associates, and thus present both sides of the case, but also, if one may presume to assert as much, because the opinions of the minority are sometimes thought to be better law than are those of the majority. An instructive illustration of the, at least considerable, weight to be given to dissenting opinions may be seen in such classical cases as the three leading legal-tender decisions, and likewise in one of the most recent decisions of the Supreme Court of the United States, the oleomargarine case of *Plumley vs. Massachusetts*, rendered December, 1894, sustaining a statute of Massachusetts which forbids the sale of oleomargarine colored in imitation of yellow butter, even though plainly stamped and sold for what it really is.

One cannot but repeat that Professor Thayer has rendered an inestimable service, not to his own profession alone, but to teachers of American history and government as well, in the publication of this work. That no pains have been spared to bring it down to date, it may be mentioned that the fourth part, which was in the book stores March 20, contains extended extracts from a decision of the United States Supreme Court of March 4.

As these volumes are intended primarily for law schools, their size and price will prevent them from being introduced into college work ; we trust, therefore, that Professor Thayer will deem it worth while to make a selection from these cases, accompanied by notes and brief discussions, adapted for the use of college classes, so that students of American history may also get some accurate knowledge of American constitutional law.

CHARLES F. A. CURRIER.

Auguste Comte und seine Bedeutung für die Entwicklung der Socialwissenschaft. Von Dr. H. WAENTIG. Staats- und socialwissenschaftliche Beiträge, herausgegeben von A. von Miaskowski. Vol. II, No. 1, Pp. 393. Leipzig : Duncker & Humblot, 1894.

Germany begins later than other countries to concern itself with sociology. Hitherto this science has met with great distrust in the German universities, and Auguste Comte has been almost unknown. Only very recently, since Herbert Spencer aroused in Germany an interest in sociology, has the French founder of sociology been made the subject of scholarly investigation, in the present book which has been done with a thoroughness which makes complete amends for all past neglect on this point. The author gives us an exhaustive study of Comte such as no other European literature as yet possesses. The